

REMARKS

Claims 1 through 24 are currently in the case. The specification has been objected to, and Claim 1 through 24, all the claims in the case, have been non-finally rejected. The objections to the specification and the rejections of Claims 1 through 24 are respectfully traversed.

Responsive to the objection of the description for not complying with 35 U.S.C. § 119(e) to receive the benefit of an earlier filing date, the specification has been amended at page 1, line 3 to incorporate a reference to the earlier filed provisional application. This amendment is believed to obviate the objection.

To overcome the rejections to the claims under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for “the extraneous, improper commas that interrupt, not separate thoughts” has been deleted. The commas were placed in the phrases to separate ‘double adjectives’, e.g. peelable, backing layer; first, perforation lines, etc. These amendments to delete the commas are believed to obviate the rejections.

To obviate the rejection to Claims 1, 10, 12 and 21 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the term “proportionally dimension”, the term has been amended to recite “proportionally dimensioned”. These amendments are believed to place the claims in a better form for allowance.

Responsive to the rejection on Claims 1 and 12 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the term “hinge means”, the term has been amended in the claims to recite “hinging means”. The introduction of this term does not add any new

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subject matter to the application. The term “hinging means” is believed to better recite to act that is intended by the invention and to illustrate the movement of folding between the cards. At page 7, lines 5 through 7, the term “hinge means” is defined as the folding the car along it sides.

To overcome the rejection of Claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the phrase “the blister cavities extend beyond the surface of the blister layer”, the phrase has been deleted from the claim. This amendment is believed to obviate the rejection and place the claim in a better form for allowance.

Responsive to the rejection of Claims 1 and 12 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the term “blister cavity”, the term has been amended to recite “blister cavities”. No new matter is believed to be introduced into the application by this amendment, and the amendment is believed to obviate the rejection.

To obviate the rejection of Claim 1 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the misspelled term “abbuting” on line 13, the term has been amended to recite “abutting”.

To overcome the rejection of Claims 1 and 12 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the ‘a double recitation of the hinge means’, the claims have been amended to delete section (e) thereof. These amendments are believed to obviate the rejection.

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Responsive to the rejection of Claim 1 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the phrase “a portion said barrier strip” at lines 29 through 30, the phrase has been amended to recite “a portion of said barrier strip”. The addition of the term “of” to the phrase is believed to make the phrase more grammatical.

To obviate the rejection to Claim 1 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the term “notch cavity” at line 31, the term has been amended to recite “notch cavities”. This amendment is believed to overcome the rejection and place the claim in a better form for allowance.

Responsive to the rejection of Claim 1 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the phrase “most opposite the hinge means” at line 36, the phrase has been amended to delete the term ‘most’. The amendment is believed to eliminate the extraneous term, and place the claim in a better form for allowance.

To overcome the rejection to Claims 1 and 12 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the phrase “blister and notch cavities, first and second perforated line” at lines 40 and 39, respectively, the phrase has been amended to recite “blister cavities and notch cavities, and first and second perforated lines”. These amendments are believed to better recite the components of the invention after removal of the interior and exterior layers.

Responsive to the rejection of Claim 12 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

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applicant regards as the invention for the misspelled term “peeable” at line 14, the term has been amended to recite “peelable”.

To obviate the rejection of Claim 12 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the misspelled term “pealing” at line 42, the term has been amended to recite “peeling”. No new subject matter has been added to the claim by this amendment.

To overcome the rejection of Claim 13 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for “not making sense”, the claim has been amended to incorporate the phrase “wherein the card comprises a paper”. This amendment is believed to show that the card contains a paper board. No new subject matter has been added to the claim by this amendment. Antecedent basis for the amendment can be found on page 11, lines 5 through 13, wherein it is recited that ‘the pharmaceutical treatment card is generally constructed of a paper or polymeric material.’

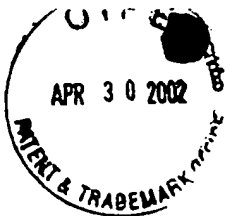
To overcome the rejection of Claim 22 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the phrase “the blister”, the phrase has been amended to recite “the blister cavities”. This amendment adds no new subject matter to the claim, and it distinguish ‘blister cavities’ from the ‘notched cavities.’

Responsive to the rejection of Claim 24 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for the term “is”, the term has been amended to recite “are” for the plural noun.

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An Appendix showing the amendments to the claims is attached hereto. "Strikethroughs" represent deletions and "underlines" represent additions to the claims.

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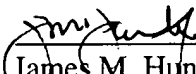
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CONCLUSION

Reconsideration and allowance of Claims 1 through 24 all the claims in the case, are respectfully requested. No additional fees are believed to be due for this amendment. However if any additional fees are due, the Examiner is authorized to deduct the same from Deposit Account No. 13-2755.

Should the Examiner have any questions or wish to discuss the case, he is requested to contact Applicant's undersigned representative at his earliest convenience.

Respectfully submitted,

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APPENDIX

--1. (Amended) A blister package incorporated into a pharmaceutical treatment card for dispensing a pre-measured dosage of a pharmaceutical composition, the card is characterized as a uniform edge; multiple layer; laminate assembly comprising; proportionally ~~dimension;~~ dimensioned first and second sides divided by hinging means, said first and second sides comprising; interior and exterior layers, said second side further comprising a blister package affixed between said interior and exterior layers along an edge of the second side opposite the hinging means, said blister package comprising:

- (a) a blister layer comprising a plurality of raised; blister cavities conforming to the shape of a pharmaceutical composition contained therein; ~~wherein the blister cavities extend beyond the surface of the blister layer;~~
- (b) a lidding layer attached to the blister layer on a side opposite the blister ~~cavity~~ cavities for containing the pharmaceutical composition within the blister ~~cavity~~ cavities;
- (c) a peelable; backing layer ~~abutting~~ abutting the lidding layer opposite the blister layer;
- (d) a plurality of adhesive layers between each of the interior and blister layers, blister and lidding layers, peelable backing and exterior layers, said adhesive layers being suitable for affixing the layers together, except that substantially no adhesive layer is between the lidding and backing layers;
- (e) ~~hinge means between the first and second sides of the card;~~

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- (f) (e) a plurality of first, perforation lines being about perpendicular to the hinging means and parallel to one another, said lines extending through the blister, lidding, peelable and adhesive layers, and between each of the blister ~~eavity~~ cavities for separating the individual blister ~~eavity~~ cavities to form quadrants;
- (g) (f) a plurality of notch cavities located in the blister layer, each of the notch ~~eavity~~ cavities being adjacent to and associated with a each of the blister ~~eavity~~ cavities and located along the first, perforation lines, said notch cavities being of equal or less volume to ~~the~~ said blister ~~eavity~~ cavities volume, so that a void exists between the notch ~~eavity~~ cavities and the lidding layer at a each of the notch ~~eavity~~ cavities;
- (h) (g) a continuous second, perforation line extending through the blister, lidding, peelable backing, adhesive, interior and exterior layers, and along the uniform edge of the second side opposite the hinging means to form a barrier strip so that a portion of said barrier strip extends through each of the notch ~~eavity~~ cavities, wherein the second, perforation line is about perpendicular to and intersects the first, perforation line at a notch ~~eavity~~ cavities;
- (i) (h) a tab consisting essentially of an area proximal to the notch cavities wherein a portions of the lidding layer and backing layers are affixed together by an adhesive;
- (j) (i) a barrier strip consisting essentially of a laminate assembly of the interior, exterior, blister, lidding and backing layers adhered together, said barrier strip being an area of the second side of the card parallel and ~~most~~

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opposite the hinging means, said barrier strip and second side being divided by the second, perforation line; and

(~~k~~) (j) an area of the interior and exterior layers within the second side of the card proximal to the blister package wherein said layers have been removed to expose the blister cavities and notch cavities, and first and second perforated lines,

wherein ~~an individual~~ each of the blister cavity being opened by a method of tearing away a portion of the barrier strip to expose a portion of a each of the notch ~~cavity~~ cavities, clasping the tab in the region of each of the notch ~~cavity~~ cavities, peeling said backing layer away from the lidding layer and towards the composition to expose the lidding layer, and pushing each of the blister ~~cavity~~ cavities towards the composition to cause the composition to rupture the lidding layer thereby exposing the composition.--;

--8. The blister package according to Claim 7, wherein the plurality of notch cavities are located in the corners formed by intersections of the first, perforation lines and the barrier strip.--;

--10. (Amended) The blister package according to Claim 9, wherein the proportionally ~~dimension~~ dimensioned first and second sides are selected from the group of rectangular, triangular, oval and elliptical shapes.--;

--12. (Amended) A blister package incorporated into a pharmaceutical treatment card, the card characterized as a uniform edge, two layer laminate assembly comprising, proportionally ~~dimension~~, dimensioned rectangular-shaped first and second sides divided by hinging means, said first and second sides comprising, interior and exterior layers, the second

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side further comprising a blister package affixed between said interior and exterior layers along the outer edge thereof, about parallel and opposite to the hinging means, said blister package comprising:

- (a) a blister layer consisting essentially of a plurality of aligned, raised, blister cavities conforming to the shape of a pharmaceutical composition placed therein selected from the group consisting of pills, tablets and capsules, said aligned cavities being about parallel and adjacent to the outer edge of the second side;
- (b) a lidding layer attached to the non-raised, ~~ea~~vity cavities side of the blister layer for encapsulating the pharmaceutical composition therein;
- (c) a ~~peeable~~, peelable backing layer abutting the lidding layer opposite the blister layer;
- (d) a plurality of adhesive layers between each of the interior and blister layers, blister and lidding layers, and ~~peeable~~ backing and exterior layers, said adhesive layers being suitable for affixing the layers together;
- ~~(e) —hinge means between the first and second sides of the card;~~
- (f) ~~(e)~~ a plurality of first, perforation lines being about perpendicular to the hinging means and extending through the blister, lidding, ~~peeable~~ and adhesive layers, and between each of the blister ~~ea~~vity cavities for separating the individual blister ~~ea~~vity cavities to form quadrants;

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- ~~(g)~~ (f) a plurality of notch cavities located in the blister layer, each notch being adjacent to a raised blister ~~cavity~~ cavities, along the first, perforation lines that separate each of the blister ~~cavity~~ cavities, said notch cavities being of equal or less volume than the blister cavities, so that a void exists between the notch ~~cavity~~ cavities and the lidding layer;
- ~~(h)~~ (g) a continuous second, perforation line extending through the blister, lidding, peelable backing, adhesive, interior and exterior layers, and along the uniform edge of the second side opposite the hinging means to form a barrier strip so that a portion of the barrier strip extends through each of the notch ~~cavity~~ cavities, wherein the second, perforation line is about perpendicular to and intersects the first, perforation line at a notch ~~cavity~~ cavities;
- ~~(i)~~ (h) a tab consisting essentially of an area proximal to the notch cavities wherein the lidding and backing layers are affixed together by an adhesive;
- ~~(j)~~ (i) a barrier strip consisting essentially of a laminate assembly of the interior, exterior, blister, lidding and backing layers adhered together, said barrier strip being an area of the second side of the card parallel and most opposite the hinging means, said barrier strip and second side being divided by the second, perforation line; and
- ~~(k)~~ (j) cut out surface of the interior and exterior layers within the second side of the card proximal to the blister package wherein said layers have been removed to expose the blister and notch cavities, first and second perforated lines,

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wherein ~~an individual~~ each of the blister ~~cavity~~ cavities being opened to expose the composition therein by a method characterized by tearing away a portion of the barrier strip to expose a each of the notch ~~cavity~~ cavities, ~~peeling~~ peeling the backing layer away from the barrier strip and towards the composition to expose the lidding layer, and pushing the composition from the blister ~~cavity~~ cavities layer through the lidding layer thereby rupturing the lidding layer to expose the composition.--;

--13. (Amended) The blister package according to Claim 12, wherein the card comprises a paper board suitable for containing printed indicia on the interior and exterior sides.--;

--19. (Amended) The blister package according to Claim 18, wherein the plurality of notch cavities are located in the corners formed by the intersecting first, perforation lines and the barrier strip.--;

--21. (Amendment) The blister package according to Claim 20, wherein the proportionally ~~dimension~~ dimensioned, rectangular-shaped first and second sides are of equal dimension.--;

--22. (Amended) The blister package according to Claim 21, wherein the interior and exterior of the second side of the card are removed to expose the blister and backing layers of the blister package surrounding the blister cavities and notch cavities.-- and

--24. (Amended) The blister package according to Claim 23, wherein the blister cavities of the package ~~is~~ are arranged in 1x4 array.--

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